

1/30/71

Seantor Sam Ervin  
U.S.Senate  
Washington, D.C.

Dear Senator Ervin,

In response to your letter of January 26, responding to mine on Army intelligence domestic activities, I have no objection at all to your making my letter available to those you have working on this subject. My purpose in writing was to try and be helpful to this important work upon which you have engaged. It addresses a serious threat to our most basic freedoms.

I also enclose the unfortunately indistinct carbon of my yesterday's letter to the Army's general counsel.

I waited a reasonable time before writing Mr. Resor. When five weeks passed without answer, I felt I should write Mr. Jordan. Were I possessed of facilities and backing I do not have, I'd be sorely tempted to file a suit on this.

I believe that so long a silence with respect to an inquiry about what the Army requires of a citizen wanting to use the Freedom of Information law, 5 U.S.C. 552, in itself violates the law, certainly the intent of Congress.

What I then had in mind is the Powell matter to which I believe I referred in my letter to you.

Meanwhile, I have made further inquiry where the incident I reported took place. Response thus far is confirmatory. There seem to have been two agents in a car while I was broadcasting which is about as public an activity as one can engage in. They remained at a nearby gas station, for the radio station was in an isolated location where any strange, parked car would have been conspicuous.

Should I learn any more, I will inform you, unless you prefer that I write a member of your staff.

Sincerely,

Harold Weisberg